

REMARKS/ARGUMENTS

Examiner's ruling with respect to the restriction of claims has been duly noted. Claims 5 – 35 have, accordingly, been canceled. A divisional application covering the canceled claims will be filed at a future time.

Reconsideration is requested of all rejections based on objections to the specification:

The original title of the application has been replaced by the one suggested by examiner. Examiner is thanked for his help in this regard.

Reconsideration is requested of all rejections based on 35 U.S.C. 103:

For this rejection examiner has relied on Hamakawa et al. (JP 405266434 A). Referring to the abstract and to Fig. 7(A), examiner argues that Hamakawa teaches the insertion of non-magnetic layer 20 (alleged to be Nb) between ferromagnetic shield 13 and substrate 21.

In the abstract and figures that were sent to us, layers 13, 20, and 21 in Fig. 7(A) are not defined. We note, however, that examiner appears to be able to read the Kanji characters in which the full text is written. We base this assumption on the Kanji character that examiner has written into the copy sent to us (see Fig. 6(B)). Examiner's argument is therefore based on material, a copy of which was not furnished to us. In this connection, examiner's attention is drawn to MPEP Section 2218 that reads, in part, as follows:

It is required that a copy of each patent or printed publication relied on or referred to in the request be filed with the request (37 CFR 1.510(b)(3)). If any of the documents are not in the English language, an English language translation of all necessary and pertinent parts is also required. An English language summary or abstract of a non-English language document is usually not sufficient.

Since we have no reason to doubt the accuracy of examiner's characterizations of the layers in question, we will proceed with our response as though a suitable translation of the relevant sections of Hamakawa had been provided. After characterizing layers 13, 20, and 21, examiner argues that layer 20 of niobium is an example of a layer of thermal conductivity greater than about 300 W/m.K inserted between a layer that is a magnetic shield and a substrate.

This argument is invalid because the thermal conductivity of niobium is 53.7 W/m.K which, examiner will agree, is NOT greater than about 300 W/m.K.

Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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By 

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